

RECEIVED
CENTRAL FAX CENTER

HUNTON & WILLIAMS

FAX

HUNTON & WILLIAMS LLP
1900 K STREET, N.W.
WASHINGTON, D.C. 20006-1105

TEL 202 • 955 • 1500
FAX 202 • 778 • 2201

MAR 12 2004

TO	NAME: FIRM: FAX NO.: PHONE NO.:	Attn: URGENT USPTO 703 872 9307 571 272-0853
PAGES (INCLUDING COVER):		8
ORIGINAL TO FOLLOW IN MAIL:		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
FROM	NAME: DIRECT DIAL:	David Kelly 202-955-1960

MESSAGE

Appl. No. 09/769,787;
GILBERT, C.F.G., et al.
Confirmation No.: 4454;
Atty. Dkt. No. 62785.000003

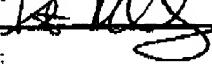
Attached: Amendment Transmittal, Amendment

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being transmitted to the USPTO or deposited with the United States Postal Service and sufficient postage is affixed and will be delivered no later than 10:00 AM on March 12, 2004, to: COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231-0100 USA.

2/12/04

OPERATOR

Type or printed	Douglas A. Kelly
Signature	

Date 2/12/04

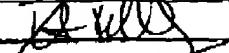
CLIENT/MATTER NAME:

Kilburn & Strode

CLIENT/MATTER NO.:

62785.000003

This communication is confidential and is intended to be privileged pursuant to the attorney-client privilege and the work-product doctrine. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and return the original message to us at the above address via the U.S. Postal Service.

FEE TRANSMITTAL MAIL STOP AF		<i>Complete If Known</i>																																												
		Application No.	09/769,787																																											
		Filing Date	January 26, 2001																																											
		First Named Inventor	Gilbert, C.F G. et al.																																											
		Examiner Name	P. Baskar																																											
Group Art Unit	1645																																													
Total Amount Of Payment (\$)	Attorney Docket No.	62785.000003																																												
METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)																																												
1. <input checked="" type="checkbox"/> The Commissioner for Patents is hereby authorized to charge indicated fees and credit any over payments to Deposit Account No. 50-0206 in the name of Hunton & Williams LLP.		3. ADDITIONAL FEES <table> <thead> <tr> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/> Surcharge - late filing fee or oath</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Surcharge - late provisional filing fee or cover sheet</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> _____ Month Extension of Time</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Notice of Appeal</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Filing Brief in Support of Appeal</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Request for Oral Hearing</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Utility Issue Fee (or Reissue) (including Publication Fee, if necessary)</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Design Issue Fee</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Plant Issue Fee</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Petition to Commissioner</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Petition to Revive (Unavoidable)</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Petition to Revive (Unintentional)</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Petitions Related to Provisional Applications</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Submission of Information Disclosure Statement</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Filing Submission After Final Rejection</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Recording Each Patent Assignment Per Property</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Filing Request for Reexamination</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Other (specify) _____</td> <td>\$</td> </tr> </tbody> </table>		Fee Description	Fee Paid	<input type="checkbox"/> Surcharge - late filing fee or oath	\$	<input type="checkbox"/> Surcharge - late provisional filing fee or cover sheet	\$	<input type="checkbox"/> _____ Month Extension of Time	\$	<input type="checkbox"/> Notice of Appeal	\$	<input type="checkbox"/> Filing Brief in Support of Appeal	\$	<input type="checkbox"/> Request for Oral Hearing	\$	<input type="checkbox"/> Utility Issue Fee (or Reissue) (including Publication Fee, if necessary)	\$	<input type="checkbox"/> Design Issue Fee	\$	<input type="checkbox"/> Plant Issue Fee	\$	<input type="checkbox"/> Petition to Commissioner	\$	<input type="checkbox"/> Petition to Revive (Unavoidable)	\$	<input type="checkbox"/> Petition to Revive (Unintentional)	\$	<input type="checkbox"/> Petitions Related to Provisional Applications	\$	<input type="checkbox"/> Submission of Information Disclosure Statement	\$	<input type="checkbox"/> Filing Submission After Final Rejection	\$	<input type="checkbox"/> Recording Each Patent Assignment Per Property	\$	<input type="checkbox"/> Filing Request for Reexamination	\$	<input type="checkbox"/> Other (specify) _____	\$					
Fee Description	Fee Paid																																													
<input type="checkbox"/> Surcharge - late filing fee or oath	\$																																													
<input type="checkbox"/> Surcharge - late provisional filing fee or cover sheet	\$																																													
<input type="checkbox"/> _____ Month Extension of Time	\$																																													
<input type="checkbox"/> Notice of Appeal	\$																																													
<input type="checkbox"/> Filing Brief in Support of Appeal	\$																																													
<input type="checkbox"/> Request for Oral Hearing	\$																																													
<input type="checkbox"/> Utility Issue Fee (or Reissue) (including Publication Fee, if necessary)	\$																																													
<input type="checkbox"/> Design Issue Fee	\$																																													
<input type="checkbox"/> Plant Issue Fee	\$																																													
<input type="checkbox"/> Petition to Commissioner	\$																																													
<input type="checkbox"/> Petition to Revive (Unavoidable)	\$																																													
<input type="checkbox"/> Petition to Revive (Unintentional)	\$																																													
<input type="checkbox"/> Petitions Related to Provisional Applications	\$																																													
<input type="checkbox"/> Submission of Information Disclosure Statement	\$																																													
<input type="checkbox"/> Filing Submission After Final Rejection	\$																																													
<input type="checkbox"/> Recording Each Patent Assignment Per Property	\$																																													
<input type="checkbox"/> Filing Request for Reexamination	\$																																													
<input type="checkbox"/> Other (specify) _____	\$																																													
2. <input type="checkbox"/> Check Enclosed. The Commissioner for Patents is hereby authorized to charge any variance between the amount enclosed and the Patent Office charges to Deposit Account No. 50-0206 in the name of Hunton & Williams LLP, 1900 K Street, N.W., Suite 1200, Washington, D.C. 20006-1109.																																														
FEE CALCULATION <table> <tr> <td>1. BASIC FILING FEE</td> <td><input type="checkbox"/> Large Entity</td> <td><input type="checkbox"/> Small Entity</td> <td rowspan="6" style="vertical-align: middle; text-align: center;">Fee Paid</td> </tr> <tr> <td>Utility Filing Fee</td> <td>\$</td> </tr> <tr> <td>Design Filing Fee</td> <td>\$</td> </tr> <tr> <td>Plant Filing Fee</td> <td>\$</td> </tr> <tr> <td>Reissue Filing Fee</td> <td>\$</td> </tr> <tr> <td>Provisional Filing Fee</td> <td>\$</td> </tr> </table>				1. BASIC FILING FEE	<input type="checkbox"/> Large Entity	<input type="checkbox"/> Small Entity	Fee Paid	Utility Filing Fee	\$	Design Filing Fee	\$	Plant Filing Fee	\$	Reissue Filing Fee	\$	Provisional Filing Fee	\$																													
1. BASIC FILING FEE	<input type="checkbox"/> Large Entity	<input type="checkbox"/> Small Entity	Fee Paid																																											
Utility Filing Fee	\$																																													
Design Filing Fee	\$																																													
Plant Filing Fee	\$																																													
Reissue Filing Fee	\$																																													
Provisional Filing Fee	\$																																													
2. EXTRA CLAIMS FEES <table> <thead> <tr> <th colspan="6">CLAIMS AS AMENDED</th> </tr> <tr> <th rowspan="2">For</th> <th rowspan="2">Number Present</th> <th rowspan="2">Highest Number Paid For</th> <th rowspan="2">Extra</th> <th colspan="2">Rate</th> <th rowspan="2">Amount</th> </tr> <tr> <th>Large Entity</th> <th>Small Entity</th> </tr> </thead> <tbody> <tr> <td>TOTAL CLAIMS</td> <td>3</td> <td>20</td> <td>0</td> <td>x \$ 18.00</td> <td>x \$ 9.00</td> <td>\$</td> </tr> <tr> <td>INDEPENDENT CLAIMS</td> <td>1</td> <td>3</td> <td>0</td> <td>x \$ 86.00</td> <td>x \$ 43.00</td> <td>\$ 0.00</td> </tr> <tr> <td colspan="4">MULTIPLE DEPENDENT CLAIMS</td> <td>\$ 290.00</td> <td>\$ 145.00</td> <td>\$ 0.00</td> </tr> <tr> <td colspan="6">TOTAL EXTRA CLAIMS FEES</td> <td>\$</td> </tr> </tbody> </table>				CLAIMS AS AMENDED						For	Number Present	Highest Number Paid For	Extra	Rate		Amount	Large Entity	Small Entity	TOTAL CLAIMS	3	20	0	x \$ 18.00	x \$ 9.00	\$	INDEPENDENT CLAIMS	1	3	0	x \$ 86.00	x \$ 43.00	\$ 0.00	MULTIPLE DEPENDENT CLAIMS				\$ 290.00	\$ 145.00	\$ 0.00	TOTAL EXTRA CLAIMS FEES						\$
CLAIMS AS AMENDED																																														
For	Number Present	Highest Number Paid For	Extra	Rate		Amount																																								
				Large Entity	Small Entity																																									
TOTAL CLAIMS	3	20	0	x \$ 18.00	x \$ 9.00	\$																																								
INDEPENDENT CLAIMS	1	3	0	x \$ 86.00	x \$ 43.00	\$ 0.00																																								
MULTIPLE DEPENDENT CLAIMS				\$ 290.00	\$ 145.00	\$ 0.00																																								
TOTAL EXTRA CLAIMS FEES						\$																																								
SUBMITTED BY				Complete (if applicable)																																										
Typed or Printed Name	David A. Kelly			Registration No.	53,106																																									
Signature				Date	March 11, 2004																																									

62785.000003 WASHINGTON 40861X+1

PAGE 2/8 * RCVD AT 3/12/2004 10:19:19 AM [Eastern Standard Time] * SVR:USPTO-EFXRF-1.0 * DNIS:8729307 * CSID:+ * DURATION (mm:ss):02-18

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER

MAR 12 2004

In re Patent Application of :)
GILBERT, C.F.G., et al.)
Serial No.: 09/769,787)
Filed: January 26, 2001)
For: NUCLEIC ACIDS AND PROTEINS FROM STREPTOCOCCUS PNEUMONIAE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Sir:

Responsive to the final Office Action mailed July 16, 2003 and further to an Amendment filed December 12, 2003 and telephone interviews with the Examiner on February 20, 2004 and March 10, 2004, please amend the above-captioned application as set forth below. Applicants respectfully submit that the following amendments have been made in order to remove issues for appeal and/or to adopt the Examiner's suggestions. Applicants filed a Notice of Appeal on January 16, 2004 and, as the present amendment is being filed within two months thereof, Applicants submit that no fees are due. However, in the event that fees are assessed, please charge or credit any such fees to the undersigned's Deposit Account No. 50-0206.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 3 of this paper.